

The following has special meaning:

green underline denotes added text

~~red struck out text denotes deleted text~~

**2021 AZ H 2813**

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House Engrossed

autonomous vehicles

State of Arizona

House of Representatives

Fifty-fifth Legislature

First Regular Session

2021

## CHAPTER 117

### HOUSE BILL 2813

#### AN ACT

Amending sections 28-101, 28-661, 28-662, 28-663, 28-664, 28-665, 28-666, 28-907, 28-909, 28-941, 28-956, 28-957, 28-957.01, 28-966, 28-2157 and 28-3315, Arizona Revised Statutes; amending title 28, Arizona Revised Statutes, by adding chapter 31; relating to motor vehicles.

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 28-101, Arizona Revised Statutes, is amended to read:

#### 28-101. Definitions

In this title, unless the context otherwise requires:

1. "Alcohol" means any substance containing any form of alcohol, including ethanol, methanol, propynol and isopropynol.
2. "Alcohol concentration" if expressed as a percentage means either:
  - (a) The number of grams of alcohol per one hundred milliliters of blood.
  - (b) The number of grams of alcohol per two hundred ten liters of breath.
3. "All-terrain vehicle" means either of the following:
  - (a) A motor vehicle that satisfies all of the following:
    - (i) Is designed primarily for recreational nonhighway all-terrain travel.
    - (ii) Is fifty or fewer inches in width.
    - (iii) Has an unladen weight of one thousand two hundred pounds or less.
    - (iv) Travels on three or more nonhighway tires.
    - (v) Is operated on a public highway.

(b) A recreational off-highway vehicle that satisfies all of the following:

- (i) Is designed primarily for recreational nonhighway all-terrain travel.
- (ii) Is eighty or fewer inches in width.
- (iii) Has an unladen weight of two thousand five hundred pounds or less.
- (iv) Travels on four or more nonhighway tires.
- (v) Has a steering wheel for steering control.
- (vi) Has a rollover protective structure.
- (vii) Has an occupant retention system.

4. "Authorized emergency vehicle" means any of the following:

- (a) A fire department vehicle.
- (b) A police vehicle.
- (c) An ambulance or emergency vehicle of a municipal department or public service corporation that is designated or authorized by the department or a local authority.
- (d) Any other ambulance, fire truck or rescue vehicle that is authorized by the department in its sole discretion and that meets liability insurance requirements prescribed by the department.

5. "Autocycle" means a three-wheeled motorcycle on which the driver and passengers ride in a fully or partially enclosed seating area that is equipped with a roll cage, safety belts for each occupant and antilock brakes and that is designed to be controlled with a steering wheel and pedals.

6. "AUTOMATED DRIVING SYSTEM" MEANS THE HARDWARE AND SOFTWARE THAT ARE COLLECTIVELY CAPABLE OF PERFORMING THE ENTIRE DYNAMIC DRIVING TASK ON A SUSTAINED BASIS, REGARDLESS OF WHETHER IT IS LIMITED TO A SPECIFIC OPERATIONAL DESIGN DOMAIN.

~~6.~~ 7. "Automotive recycler" means a person that is engaged in the business of buying or acquiring a motor vehicle solely for the purpose of dismantling, selling or otherwise disposing of the parts or accessories and that removes parts for resale from six or more vehicles in a calendar year.

8. "AUTONOMOUS VEHICLE" MEANS A MOTOR VEHICLE THAT IS EQUIPPED WITH AN AUTOMATED DRIVING SYSTEM.

~~7.~~ 9. "Aviation fuel" means all flammable liquids composed of a mixture of selected hydrocarbons expressly manufactured and blended for the purpose of effectively and efficiently operating an internal combustion engine for use in an aircraft but does not include fuel for jet or turbine powered aircraft.

~~8.~~ 10. "Bicycle" means a device, including a racing wheelchair, that is propelled by human power and on which a person may ride and that has either:

- (a) Two tandem wheels, either of which is more than sixteen inches in diameter.
- (b) Three wheels in contact with the ground, any of which is more than sixteen inches in diameter.

~~9.~~ 11. "Board" means the transportation board.

~~10.~~ 12. "Bus" means a motor vehicle designed for carrying sixteen or more passengers, including the driver.

~~11.~~ 13. "Business district" means the territory contiguous to and including a highway if there are buildings in use for business or industrial purposes within any six hundred feet along the highway, including hotels, banks or office buildings, railroad stations and public buildings that occupy at least three hundred feet of frontage on one side or three hundred feet collectively on both sides of the highway.

~~12.~~ 14. "Certificate of ownership" means a paper or an electronic record that is issued in another state or a foreign jurisdiction and that indicates ownership of a vehicle.

~~13.~~ 15. "Certificate of title" means a paper document or an electronic record that is issued by the department and that indicates ownership of a vehicle.

~~14.~~ 16. "Combination of vehicles" means a truck or truck tractor and semitrailer and any trailer that it tows but does not include a forklift designed for the purpose of loading or unloading the truck, trailer or semitrailer.

~~15.~~ 17. "Controlled substance" means a substance so classified under section 102(6) of the controlled substances act (21 United States Code section 802(6)) and includes all substances listed in schedules I through V of 21 Code of Federal Regulations part 1308.

~~16.~~ 18. "Conviction" means:

(a) An unvacated adjudication of guilt or a determination that a person violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal.

(b) An unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court.

(c) A plea of guilty or no contest accepted by the court.

(d) The payment of a fine or court costs.

~~17-19.~~ 19. "County highway" means a public road that is constructed and maintained by a county.

~~18-20.~~ 20. "Dealer" means a person who is engaged in the business of buying, selling or exchanging motor vehicles, trailers or semitrailers and who has an established place of business and has paid fees pursuant to section 28-4302.

~~19-21.~~ 21. "Department" means the department of transportation acting directly or through its duly authorized officers and agents.

~~20-22.~~ 22. "Digital network or software application" has the same meaning prescribed in section 28-9551.

~~21-23.~~ 23. "Director" means the director of the department of transportation.

~~22-24.~~ 24. "Drive" means to operate or be in actual physical control of a motor vehicle.

~~23-25.~~ 25. "Driver" means a person who drives or is in actual physical control of a vehicle.

~~24-26.~~ 26. "Driver license" means a license that is issued by a state to an individual and that authorizes the individual to drive a motor vehicle.

27. "DYNAMIC DRIVING TASK":

(A) MEANS ALL OF THE REAL-TIME OPERATIONAL AND TACTICAL FUNCTIONS REQUIRED TO OPERATE A VEHICLE IN ON-ROAD TRAFFIC.

(B) INCLUDES:

(I) LATERAL VEHICLE MOTION CONTROL BY STEERING.

(II) LONGITUDINAL MOTION CONTROL BY ACCELERATION AND DECELERATION.

(III) MONITORING THE DRIVING ENVIRONMENT BY OBJECT AND EVENT DETECTION, RECOGNITION, CLASSIFICATION AND RESPONSE PREPARATION.

(IV) OBJECT AND EVENT RESPONSE EXECUTION.

(V) MANEUVER PLANNING.

(VI) ENHANCING CONSPICUITY BY LIGHTING, SIGNALING AND GESTURING.

(C) DOES NOT INCLUDE STRATEGIC FUNCTIONS SUCH AS TRIP SCHEDULING AND SELECTION OF DESTINATIONS AND WAYPOINTS.

~~25-28.~~ 28. "Electric bicycle" means a bicycle or tricycle that is equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts and that meets the requirements of one of the following classes:

(a) "Class 1 electric bicycle" means a bicycle or tricycle that is equipped with an electric motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle or tricycle reaches the speed of twenty miles per hour.

(b) "Class 2 electric bicycle" means a bicycle or tricycle that is equipped with an electric motor that may be used exclusively to propel the bicycle or tricycle and that is not capable of providing assistance when the bicycle or tricycle reaches the speed of twenty miles per hour.

(c) "Class 3 electric bicycle" means a bicycle or tricycle that is equipped with an electric motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle or tricycle reaches the speed of twenty-eight miles per hour.

~~26-29.~~ 29. "Electric miniature scooter" means a device that:

(a) Weighs less than thirty pounds.

(b) Has two or three wheels.

(c) Has handlebars.

(d) Has a floorboard on which a person may stand while riding.

(e) Is powered by an electric motor or human power, or both.

(f) Has a maximum speed that does not exceed ten miles per hour, with or without human propulsion, on a paved level surface.

~~27-~~ 30. "Electric personal assistive mobility device" means a self-balancing device with one wheel or two nontandem wheels and an electric propulsion system that limits the maximum speed of the device to fifteen miles per hour or less and that is designed to transport only one person.

~~28-~~ 31. "Electric standup scooter":

(a) Means a device that:

(i) Weighs less than seventy-five pounds.

(ii) Has two or three wheels.

(iii) Has handlebars.

(iv) Has a floorboard on which a person may stand while riding.

(v) Is powered by an electric motor or human power, or both.

(vi) Has a maximum speed that does not exceed twenty miles per hour, with or without human propulsion, on a paved level surface.

(b) Does not include an electric miniature scooter.

~~29-~~ 32. "Evidence" includes both of the following:

(a) A display on a wireless communication device of a department-generated driver license, nonoperating identification license, vehicle registration card or other official record of the department that is presented to a law enforcement officer or in a court or an administrative proceeding.

(b) An electronic or digital license plate authorized pursuant to section 28-364.

~~30-~~ 33. "Farm" means any lands primarily used for agriculture production.

~~31-~~ 34. "Farm tractor" means a motor vehicle designed and used primarily as a farm implement for drawing implements of husbandry.

~~32-~~ 35. "Foreign vehicle" means a motor vehicle, trailer or semitrailer that is brought into this state other than in the ordinary course of business by or through a manufacturer or dealer and that has not been registered in this state.

36. "FULLY AUTONOMOUS VEHICLE" MEANS AN AUTONOMOUS VEHICLE THAT IS EQUIPPED WITH AN AUTOMATED DRIVING SYSTEM DESIGNED TO FUNCTION AS A LEVEL FOUR OR FIVE SYSTEM UNDER SAE J3016 AND THAT MAY BE DESIGNED TO FUNCTION EITHER:

(A) SOLELY BY USE OF THE AUTOMATED DRIVING SYSTEM.

(B) BY A HUMAN DRIVER WHEN THE AUTOMATED DRIVING SYSTEM IS NOT ENGAGED.

~~33-~~ 37. "Golf cart" means a motor vehicle that has not less than three wheels in contact with the ground, that has an unladen weight of less than one thousand eight hundred pounds, that is designed to be and is operated at not more than twenty-five miles per hour and that is designed to carry not more than four persons including the driver.

~~34-~~ 38. "Hazardous material" means a material, and its mixtures or solutions, that the United States department of transportation determines under 49 Code of Federal Regulations is, or any quantity of a material listed as a select agent or toxin under 42 Code of Federal Regulations part 73 that is, capable of posing an unreasonable risk to health, safety and property if transported in commerce and that is required to be placarded or marked as required by the department's safety rules prescribed pursuant to chapter 14 of this title.

39. "HUMAN DRIVER" MEANS A NATURAL PERSON IN THE VEHICLE WHO PERFORMS IN REAL TIME ALL OR PART OF THE DYNAMIC DRIVING TASK OR ACHIEVES A MINIMAL RISK CONDITION FOR THE VEHICLE.

~~35-~~ 40. "Implement of husbandry" means a vehicle that is designed primarily for agricultural purposes and that is used exclusively in the conduct of agricultural operations, including an implement or vehicle whether self-propelled or otherwise that meets both of the following conditions:

(a) Is used solely for agricultural purposes including the preparation or harvesting of cotton, alfalfa, grains and other farm crops.

(b) Is only incidentally operated or moved on a highway whether as a trailer or self-propelled unit. For the purposes of this subdivision, "incidentally operated or moved on a highway" means travel between a farm and another part of the same farm, from one farm to another farm or between a farm and a place of repair, supply or storage.

~~36-~~ 41. "Limousine" means a motor vehicle providing prearranged ground transportation service for an individual passenger, or a group of passengers, that is arranged in advance or is operated on a regular route or between specified points and includes ground transportation under a contract or agreement for services that includes a fixed rate or time and is provided in a motor vehicle with a seating capacity not exceeding fifteen passengers including the driver.

~~37-~~ 42. "Livery vehicle" means a motor vehicle that:

- (a) Has a seating capacity not exceeding fifteen passengers including the driver.
- (b) Provides passenger services for a fare determined by a flat rate or flat hourly rate between geographic zones or within a geographic area.
- (c) Is available for hire on an exclusive or shared ride basis.
- (d) May do any of the following:
  - (i) Operate on a regular route or between specified places.
  - (ii) Offer prearranged ground transportation service as defined in section 28-141.
  - (iii) Offer on demand ground transportation service pursuant to a contract with a public airport, licensed business entity or organization.

~~38.~~ 43. "Local authority" means any county, municipal or other local board or body exercising jurisdiction over highways under the constitution and laws of this state.

~~39.~~ 44. "Manufacturer" means a person engaged in the business of manufacturing motor vehicles, trailers or semitrailers.

45. "MINIMAL RISK CONDITION":

(A) MEANS A CONDITION TO WHICH A HUMAN DRIVER OR AN AUTOMATED DRIVING SYSTEM MAY BRING A VEHICLE IN ORDER TO REDUCE THE RISK OF A CRASH WHEN A GIVEN TRIP CANNOT OR SHOULD NOT BE COMPLETED.

(B) INCLUDES BRINGING THE VEHICLE TO A COMPLETE STOP.

~~40.~~ 46. "Moped" means a bicycle, not including an electric bicycle, an electric miniature scooter or an electric standup scooter, that is equipped with a helper motor if the vehicle has a maximum piston displacement of fifty cubic centimeters or less, a brake horsepower of one and one-half or less and a maximum speed of twenty-five miles per hour or less on a flat surface with less than a one percent grade.

~~41.~~ 47. "Motorcycle" means a motor vehicle that has a seat or saddle for the use of the rider and that is designed to travel on not more than three wheels in contact with the ground but excludes a tractor, an electric bicycle, an electric miniature scooter, an electric standup scooter and a moped.

~~42.~~ 48. "Motor driven cycle" means a motorcycle, including every motor scooter, with a motor that produces not more than five horsepower but does not include an electric bicycle, an electric miniature scooter or an electric standup scooter.

~~43.~~ 49. "Motorized quadricycle" means a self-propelled motor vehicle to which all of the following apply:

- (a) The vehicle is self-propelled by an emission-free electric motor and may include pedals operated by the passengers.
- (b) The vehicle has at least four wheels in contact with the ground.
- (c) The vehicle seats at least eight passengers, including the driver.
- (d) The vehicle is operable on a flat surface using solely the electric motor without assistance from the pedals or passengers.
- (e) The vehicle is a commercial motor vehicle as defined in section 28-5201.
- (f) The vehicle is a limousine operating under a vehicle for hire company permit issued pursuant to section 28-9503.
- (g) The vehicle is manufactured by a motor vehicle manufacturer that is licensed pursuant to chapter 10 of this title.
- (h) The vehicle complies with the definition and standards for low-speed vehicles set forth in federal motor vehicle safety standard 500 and 49 Code of Federal Regulations sections 571.3(b) and 571.500, respectively.

~~44.~~ 50. "Motor vehicle":

- (a) Means either:
  - (i) A self-propelled vehicle.
  - (ii) For the purposes of the laws relating to the imposition of a tax on motor vehicle fuel, a vehicle that is operated on the highways of this state and that is propelled by the use of motor vehicle fuel.
- (b) Does not include a scrap vehicle, a personal delivery device, a personal mobile cargo carrying device, a motorized wheelchair, an electric personal assistive mobility device, an electric bicycle, an electric miniature scooter, an electric standup scooter or a motorized skateboard. For the purposes of this subdivision:
  - (i) "Motorized skateboard" means a self-propelled device that does not have handlebars and that has a motor, a deck on which a person may ride and at least two tandem wheels in contact with the ground.

(ii) "Motorized wheelchair" means a self-propelled wheelchair that is used by a person for mobility.

~~45~~ 51. "Motor vehicle fuel" includes all products that are commonly or commercially known or sold as gasoline, including casinghead gasoline, natural gasoline and all flammable liquids, and that are composed of a mixture of selected hydrocarbons expressly manufactured and blended for the purpose of effectively and efficiently operating internal combustion engines. Motor vehicle fuel does not include inflammable liquids that are specifically manufactured for racing motor vehicles and that are distributed for and used by racing motor vehicles at a racetrack, use fuel as defined in section 28-5601, aviation fuel, fuel for jet or turbine powered aircraft or the mixture created at the interface of two different substances being transported through a pipeline, commonly known as transmix.

~~46~~ 52. "Neighborhood electric vehicle" means a self-propelled electrically powered motor vehicle to which all of the following apply:

(a) The vehicle is emission free.

(b) The vehicle has at least four wheels in contact with the ground.

(c) The vehicle complies with the definition and standards for low-speed vehicles set forth in federal motor vehicle safety standard 500 and 49 Code of Federal Regulations sections 571.3(b) and 571.500, respectively.

~~47~~ 53. "Nonresident" means a person who is not a resident of this state as defined in section 28-2001.

~~48~~ 54. "Off-road recreational motor vehicle" means a motor vehicle that is designed primarily for recreational nonhighway all-terrain travel and that is not operated on a public highway. Off-road recreational motor vehicle does not mean a motor vehicle used for construction, building trade, mining or agricultural purposes.

55. "OPERATIONAL DESIGN DOMAIN":

(A) MEANS OPERATING CONDITIONS UNDER WHICH A GIVEN AUTOMATED DRIVING SYSTEM IS SPECIFICALLY DESIGNED TO FUNCTION.

(B) INCLUDES ROADWAY TYPES, SPEED RANGE, ENVIRONMENTAL CONDITIONS, SUCH AS WEATHER OR TIME OF DAY, AND OTHER DOMAIN CONSTRAINTS.

~~49~~ 56. "Operator" means a person who drives a motor vehicle on a highway, who is in actual physical control of a motor vehicle on a highway or who is exercising control over or steering a vehicle being towed by a motor vehicle.

~~50~~ 57. "Owner" means:

(a) A person who holds the legal title of a vehicle.

(b) If a vehicle is the subject of an agreement for the conditional sale or lease with the right of purchase on performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, the conditional vendee or lessee.

(c) If a mortgagor of a vehicle is entitled to possession of the vehicle, the mortgagor.

~~51~~ 58. "Pedestrian" means any person afoot. A person who uses an electric personal assistive mobility device or a manual or motorized wheelchair is considered a pedestrian unless the manual wheelchair qualifies as a bicycle. For the purposes of this paragraph, "motorized wheelchair" means a self-propelled wheelchair that is used by a person for mobility.

~~52~~ 59. "Personal delivery device":

(a) Means a device that is both of the following:

(i) Manufactured for transporting cargo and goods in an area described in section 28-1225.

(ii) ~~Is~~ Equipped with automated driving technology, including software and hardware, that enables the operation of the device with the remote support and supervision of a human.

(b) Does not include a personal mobile cargo carrying device.

~~53~~ 60. "Personal mobile cargo carrying device" means an electronically powered device that:

(a) Is operated primarily on sidewalks and within crosswalks and that is designed to transport property.

(b) Weighs less than eighty pounds, excluding cargo.

(c) Operates at a maximum speed of twelve miles per hour.

(d) Is equipped with technology to transport personal property with the active monitoring of a property owner and that is primarily designed to remain within twenty-five feet of the property owner.

(e) Is equipped with a braking system that when active or engaged enables the personal mobile cargo carrying device to come to a controlled stop.



~~54.~~ 61. "Power sweeper" means an implement, with or without motive power, that is only incidentally operated or moved on a street or highway and that is designed for the removal of debris, dirt, gravel, litter or sand whether by broom, vacuum or regenerative air system from asphaltic concrete or cement concrete surfaces, including parking lots, highways, streets and warehouses, and a vehicle on which the implement is permanently mounted.

~~55.~~ 62. "Public transit" means the transportation of passengers on scheduled routes by means of a conveyance on an individual passenger fare-paying basis excluding transportation by a sightseeing bus, school bus or taxi or a vehicle not operated on a scheduled route basis.

~~56.~~ 63. "Reconstructed vehicle" means a vehicle that has been assembled or constructed largely by means of essential parts, new or used, derived from vehicles or makes of vehicles of various names, models and types or that, if originally otherwise constructed, has been materially altered by the removal of essential parts or by the addition or substitution of essential parts, new or used, derived from other vehicles or makes of vehicles. For the purposes of this paragraph, "essential parts" means integral and body parts, the removal, alteration or substitution of which will tend to conceal the identity or substantially alter the appearance of the vehicle.

~~57.~~ 64. "Residence district" means the territory contiguous to and including a highway not comprising a business district if the property on the highway for a distance of three hundred feet or more is in the main improved with residences or residences and buildings in use for business.

~~58.~~ 65. "Right-of-way" when used within the context of the regulation of the movement of traffic on a highway means the privilege of the immediate use of the highway. Right-of-way when used within the context of the real property on which transportation facilities and appurtenances to the facilities are constructed or maintained means the lands or interest in lands within the right-of-way boundaries.

66. "SAE J3016" MEANS SURFACE TRANSPORTATION RECOMMENDED PRACTICE J3016 TAXONOMY AND DEFINITIONS FOR TERMS RELATED TO DRIVING AUTOMATION SYSTEMS FOR ON-ROAD MOTOR VEHICLES PUBLISHED BY SAE INTERNATIONAL IN JUNE 2018.

~~59.~~ 67. "School bus" means a motor vehicle that is designed for carrying more than ten passengers and that is either:

(a) Owned by any public or governmental agency or other institution and operated for the transportation of children to or from home or school on a regularly scheduled basis.

(b) Privately owned and operated for compensation for the transportation of children to or from home or school on a regularly scheduled basis.

~~60.~~ 68. "Scrap metal dealer" has the same meaning prescribed in section 44-1641.

~~61.~~ 69. "Scrap vehicle" has the same meaning prescribed in section 44-1641.

~~62.~~ 70. "Semitrailer" means a vehicle that is with or without motive power, other than a pole trailer or single-axle tow dolly, that is designed for carrying persons or property and for being drawn by a motor vehicle and that is constructed so that some part of its weight and that of its load rests on or is carried by another vehicle. For the purposes of this paragraph, "pole trailer" has the same meaning prescribed in section 28-601.

~~63.~~ 71. "Single-axle tow dolly" means a nonvehicle device that is drawn by a motor vehicle, that is designed and used exclusively to transport another motor vehicle and on which the front or rear wheels of the drawn motor vehicle are mounted on the tow dolly while the other wheels of the drawn motor vehicle remain in contact with the ground.

~~64.~~ 72. "State" means a state of the United States and the District of Columbia.

~~65.~~ 73. "State highway" means a state route or portion of a state route that is accepted and designated by the board as a state highway and that is maintained by the state.

~~66.~~ 74. "State route" means a right-of-way whether actually used as a highway or not that is designated by the board as a location for the construction of a state highway.

~~67.~~ 75. "Street" or "highway" means the entire width between the boundary lines of every way if a part of the way is open to the use of the public for purposes of vehicular travel.

~~68.~~ 76. "Taxi" means a motor vehicle that has a seating capacity not exceeding fifteen passengers, including the driver, that provides passenger services and that:

(a) Does not primarily operate on a regular route or between specified places.

(b) Offers local transportation for a fare determined on the basis of the distance traveled or prearranged ground transportation service as defined in section 28-141 for a predetermined fare.

~~69.~~ 77. "Title transfer form" means a paper or an electronic form that is prescribed by the department for the purpose of transferring a certificate of title from one owner to another owner.

~~70.~~ 78. "Traffic survival school" means a school that offers educational sessions to drivers who are required to attend and successfully complete educational sessions pursuant to this title that are designed to improve the safety and habits of drivers and that are approved by the department.

~~74~~. ~~79~~. "Trailer" means a vehicle that is with or without motive power, other than a pole trailer or single-axle tow dolly, that is designed for carrying persons or property and for being drawn by a motor vehicle and that is constructed so that no part of its weight rests on the towing vehicle. A semitrailer equipped with an auxiliary front axle commonly known as a dolly is deemed to be a trailer. For the purposes of this paragraph, "pole trailer" has the same meaning prescribed in section 28-601.

~~72~~. ~~80~~. "Transportation network company" has the same meaning prescribed in section 28-9551.

~~73~~. ~~81~~. "Transportation network company vehicle" has the same meaning prescribed in section 28-9551.

~~74~~. ~~82~~. "Transportation network service" has the same meaning prescribed in section 28-9551.

~~75~~. ~~83~~. "Truck" means a motor vehicle designed or used primarily for the carrying of property other than the effects of the driver or passengers and includes a motor vehicle to which has been added a box, a platform or other equipment for such carrying.

~~76~~. ~~84~~. "Truck tractor" means a motor vehicle that is designed and used primarily for drawing other vehicles and that is not constructed to carry a load other than a part of the weight of the vehicle and load drawn.

~~77~~. ~~85~~. "Vehicle":

(a) Means a device in, on or by which a person or property is or may be transported or drawn on a public highway.

(b) Does not include:

(i) Electric bicycles, electric miniature scooters, electric standup scooters and devices moved by human power.

(ii) Devices used exclusively on stationary rails or tracks.

(iii) Personal delivery devices.

(iv) Scrap vehicles.

(v) Personal mobile cargo carrying devices.

~~78~~. ~~86~~. "Vehicle transporter" means either:

(a) A truck tractor capable of carrying a load and drawing a semitrailer.

(b) A truck tractor with a stinger-steered fifth wheel capable of carrying a load and drawing a semitrailer or a truck tractor with a dolly mounted fifth wheel that is securely fastened to the truck tractor at two or more points and that is capable of carrying a load and drawing a semitrailer.

Sec. 2. Section 28-661, Arizona Revised Statutes, is amended to read:

28-661. Accidents involving death or physical injuries; fully autonomous vehicles operating without a human driver; failure to stop; violation; classification; driver license revocation; restricted privilege to drive; alcohol or other drug screening

A. The driver of a vehicle involved in an accident resulting in injury to or death of a person shall:

1. Immediately stop the vehicle at the scene of the accident or as close to the accident scene as possible but shall immediately return to the accident scene.

2. Remain at the scene of the accident until the driver has fulfilled the requirements of section 28-663.

B. IF THE VEHICLE DESCRIBED IN SUBSECTION A OF THIS SECTION IS A FULLY AUTONOMOUS VEHICLE OPERATING WITHOUT A HUMAN DRIVER, THE REQUIREMENTS OF THIS SECTION ARE SATISFIED IF THE FULLY AUTONOMOUS VEHICLE STOPS AT THE SCENE OF THE ACCIDENT OR AS CLOSE TO THE ACCIDENT SCENE AS POSSIBLE AND REMAINS STOPPED AT THAT LOCATION UNTIL THE REQUIREMENTS OF SECTION 28-663 HAVE BEEN SATISFIED.

~~B~~. ~~C~~. A driver who is involved in an accident resulting in death or serious physical injury as defined in section 13-105 and who fails to stop or to comply with the requirements of section 28-663 is guilty of a class 3 felony, except that if a driver caused the accident the driver is guilty of a class 2 felony.

~~C~~. ~~D~~. A driver who is involved in an accident resulting in an injury other than death or serious physical injury as defined in section 13-105 and who fails to stop or to comply with the requirements of section 28-663 is guilty of a class 5 felony.

~~D~~. ~~E~~. The sentence imposed on a person for a conviction under this section shall run consecutively to any sentence imposed on the person for other convictions on any other charge related to the accident.

~~E~~. ~~F~~. The department shall revoke the license or permit to drive and any nonresident operating privilege of a person convicted pursuant to subsection ~~B~~ ~~C~~ of this section as follows:

1. For an accident resulting in serious physical injury, five years, not including any time that the person is incarcerated.

2. For an accident resulting in death, ten years, not including any time that the person is incarcerated.



~~F. G.~~ Five or more years after the revocation period has begun pursuant to subsection ~~E. F.~~ paragraph 2 of this section, not including any time that the person is incarcerated, a person may apply to the department for a restricted privilege to drive. The department may issue a restricted privilege to drive as described in section 28-144 if the department finds both of the following:

1. The person is not convicted of any offense involving the operation of a motor vehicle while the person's driving privilege is revoked.
2. The person has paid full restitution as ordered by the court.

~~G. H.~~ The department shall revoke the license or permit to drive and any nonresident operating privilege of a person convicted pursuant to subsection ~~G. D.~~ of this section for three years.

~~H. I.~~ If the court finds by a preponderance of the evidence that the person's use of intoxicating liquor, any drug listed in section 13-3401, a vapor releasing substance containing a toxic substance or any combination of liquor, drugs or vapor releasing substances was a contributing factor to the accident, the court shall order the person to complete alcohol or other drug screening.

Sec. 3. Section 28-662, Arizona Revised Statutes, is amended to read:

28-662. Accidents involving damage to vehicle; failure to stop; fully autonomous vehicle operating without a human driver; violation; classification; driver license suspension; alcohol or other drug screening

A. The driver of a vehicle involved in an accident resulting only in damage to a vehicle that is driven or attended by a person shall:

1. Immediately stop the vehicle at the scene of the accident or as close to the accident scene as possible but shall immediately return to the accident scene.
2. Remain at the scene of the accident until the driver has fulfilled the requirements of section 28-663.
3. Make the stop without obstructing traffic more than is necessary.

B. IF THE FIRST VEHICLE DESCRIBED IN SUBSECTION A OF THIS SECTION IS A FULLY AUTONOMOUS VEHICLE OPERATING WITHOUT A HUMAN DRIVER, THE REQUIREMENTS OF THIS SECTION ARE SATISFIED IF THE FULLY AUTONOMOUS VEHICLE:

1. IMMEDIATELY STOPS AT THE SCENE OF THE ACCIDENT OR AS CLOSE TO THE ACCIDENT SCENE AS POSSIBLE.
2. REMAINS STOPPED AT OR AS CLOSE AS POSSIBLE TO THE SCENE UNTIL THE REQUIREMENTS OF SECTION 28-663 HAVE BEEN SATISFIED.
3. MAKES THE STOP WITHOUT OBSTRUCTING TRAFFIC MORE THAN NECESSARY.

~~B. C.~~ A person failing to stop or comply with this section is guilty of a class 2 misdemeanor.

~~C. D.~~ A court may order the department to suspend the license or permit to drive and any nonresident operating privilege of a person convicted under this section for one year. If reasonable suspicion exists to believe that the person's use of intoxicating liquor, any drug listed in section 13-3401, a vapor releasing substance containing a toxic substance or any combination of liquor, drugs or vapor releasing substances was a contributing factor to the accident, the department may require the person to complete alcohol or other drug screening as a condition of license reinstatement.

Sec. 4. Section 28-663, Arizona Revised Statutes, is amended to read:

28-663. Duty to give information and assistance; fully autonomous vehicles operating without a human driver; violation; classification; alcohol or other drug screening

A. The driver of a vehicle involved in an accident resulting in injury to or death of a person or damage to a vehicle that is driven or attended by a person shall:

1. Give the driver's name and address and the registration number of the vehicle the driver is driving.
2. On request, exhibit the person's driver license to the person struck or the driver or occupants of or person attending a vehicle collided with.
3. Render reasonable assistance to a person injured in the accident, including making arrangements for the carrying of the person to a physician, surgeon or hospital for medical or surgical treatment if it is apparent that treatment is necessary or if the carrying is requested by the injured person.

B. IF THE FIRST VEHICLE DESCRIBED IN SUBSECTION A OF THIS SECTION IS A FULLY AUTONOMOUS VEHICLE OPERATING WITHOUT A HUMAN DRIVER, THE REQUIREMENTS OF THIS SECTION ARE SATISFIED IF BOTH:

1. THE VEHICLE OWNER OR A PERSON ON BEHALF OF THE VEHICLE OWNER PROMPTLY CONTACTS A LAW ENFORCEMENT AGENCY TO REPORT THE ACCIDENT OR IF THE FULLY AUTONOMOUS VEHICLE ALERTS A LAW ENFORCEMENT AGENCY TO THE ACCIDENT.
2. THE VEHICLE OWNER, A PERSON ON BEHALF OF THE VEHICLE OWNER OR THE FULLY AUTONOMOUS VEHICLE MAKES THE OWNER'S NAME AND ADDRESS AND THE REGISTRATION NUMBER OF THE VEHICLE AVAILABLE TO EITHER:

(A) A PERSON STRUCK BY THE VEHICLE.(B) THE OCCUPANTS OF OR A PERSON ATTENDING A VEHICLE THAT IS INVOLVED IN THE ACCIDENT.

~~B. C.~~ A person who fails to comply with subsection A, paragraph 1 or 2 of this section is guilty of a class 3 misdemeanor.

~~C. D.~~ A person who fails to comply with subsection A, paragraph 3 of this section is guilty of a class 6 felony. If the court finds by a preponderance of the evidence that the person's use of intoxicating liquor, any drug listed in section 13-3401, a vapor releasing substance containing a toxic substance or any combination of liquor, drugs or vapor releasing substances was a contributing factor to the accident, the court shall order the person to complete alcohol or other drug screening.

Sec. 5. Section 28-664, Arizona Revised Statutes, is amended to read:

28-664. Duty on striking unattended vehicle; fully autonomous vehicle operating without a human driver; violation; classification

A. The driver of a vehicle that collides with a vehicle that is unattended shall immediately:

1. Stop.

2. Either:

(a) Locate and notify the operator or owner of the vehicle of the name and address of the driver and owner of the vehicle striking the unattended vehicle.

(b) In a conspicuous place in the vehicle struck, leave a written notice giving the name and address of the driver and of the owner of the vehicle doing the striking.

B. IF THE FIRST VEHICLE DESCRIBED IN SUBSECTION A OF THIS SECTION IS A FULLY AUTONOMOUS VEHICLE OPERATING WITHOUT A HUMAN DRIVER, THE REQUIREMENTS OF THIS SECTION ARE SATISFIED IF THE FULLY AUTONOMOUS VEHICLE IMMEDIATELY STOPS AND THE VEHICLE OWNER OR A PERSON ON BEHALF OF THE VEHICLE OWNER PROVIDES THE NOTICE PRESCRIBED IN SUBSECTION A, PARAGRAPH 2 OF THIS SECTION.

~~B. C.~~ A person who violates this section is guilty of a class 3 misdemeanor.

Sec. 6. Section 28-665, Arizona Revised Statutes, is amended to read:

28-665. Striking fixtures on a highway; fully autonomous vehicle operating without a human driver; violation; classification

A. The driver of a vehicle involved in an accident resulting only in damage to fixtures or other property legally on or adjacent to a highway shall:

1. Take reasonable steps to locate and notify the owner or person in charge of the property of:

(a) The fact of the accident.

(b) The driver's name and address.

(c) The registration number of the vehicle the driver is driving.

2. On request, exhibit the driver's driver license.

B. IF THE VEHICLE DESCRIBED IN SUBSECTION A OF THIS SECTION IS A FULLY AUTONOMOUS VEHICLE OPERATING WITHOUT A HUMAN DRIVER, THE REQUIREMENTS OF THIS SECTION ARE SATISFIED IF THE VEHICLE OWNER OR A PERSON ON BEHALF OF THE VEHICLE OWNER TAKES REASONABLE STEPS TO NOTIFY THE OWNER OR PERSON IN CHARGE OF THE PROPERTY OF ALL OF THE FOLLOWING:

1. THE FACT OF THE ACCIDENT.

2. THE VEHICLE OWNER'S NAME AND ADDRESS.

3. THE VEHICLE'S REGISTRATION NUMBER.

~~B. C.~~ A person who violates this section is guilty of a class 3 misdemeanor.

Sec. 7. Section 28-666, Arizona Revised Statutes, is amended to read:

28-666. Notice of vehicle accident; fully autonomous vehicle operating without a human driver

A. The driver of a vehicle involved in an accident resulting in injury to or death of a person shall give notice of the accident immediately by the quickest means of communication, whether oral or written, to either:

1. The local police department if the accident occurs within a municipality.

2. The office of the county sheriff.

3. The nearest office of the highway patrol.

**B. IF THE VEHICLE DESCRIBED IN SUBSECTION A OF THIS SECTION IS A FULLY AUTONOMOUS VEHICLE OPERATING WITHOUT A HUMAN DRIVER, THE NOTICE DESCRIBED IN THIS SECTION MAY BE PROVIDED BY THE VEHICLE OWNER OR A PERSON ON BEHALF OF THE VEHICLE OWNER.**

Sec. 8. Section 28-907, Arizona Revised Statutes, is amended to read:

**28-907. Child restraint system; civil penalty; exemptions; notice; child restraint fund; definitions**

A. Except as provided in subsection H of this section, a person shall not operate a motor vehicle on the highways in this state when transporting a child who is under five years of age unless that child is properly secured in a child restraint system.

B. The operator of a motor vehicle that is designed for carrying ten or fewer passengers, that is manufactured for the model year 1972 and thereafter and that is required to be equipped with an integrated lap and shoulder belt or a lap belt pursuant to the federal motor vehicle safety standards prescribed in 49 Code of Federal Regulations section 571.208 shall require each passenger who is at least five years of age, who is under eight years of age and who is not more than four feet nine inches tall to be restrained in a child restraint system.

C. The department shall adopt standards in accordance with 49 Code of Federal Regulations section 571.213 for the performance, design and installation of child restraint systems for use in motor vehicles as prescribed in this section.

D. A person who violates this section is subject to a civil penalty of ~~fifty dollars~~ **\$50**, except that a civil penalty shall not be imposed if the person makes a sufficient showing that the motor vehicle has been subsequently equipped with a child restraint system that meets the standards adopted pursuant to subsection C of this section. A sufficient showing may include a receipt mailed to the appropriate court officer that evidences purchase or acquisition of a child restraint system. The court imposing and collecting the civil penalty shall deposit, pursuant to sections 35-146 and 35-147, the monies, exclusive of any surcharges imposed pursuant to sections 12-116.01 and 12-116.02, in the child restraint fund.

E. If a law enforcement officer stops a vehicle for an apparent violation of this section, the officer shall determine from the driver the age and height of the child or children in the vehicle to assess whether the child or children in the vehicle should be in child restraint systems.

F. If the information given to the officer indicates that a violation of this section has not been committed, the officer shall not detain the vehicle any further unless some additional violation is involved. The stopping of a vehicle for an apparent or actual violation of this section is not probable cause for the search or seizure of the vehicle unless there is probable cause for another violation of law.

G. The requirements of this section or evidence of a violation of this section are not admissible as evidence in a judicial proceeding except in a judicial proceeding for a violation of this section.

H. This section does not apply to any of the following:

1. A person who operates a motor vehicle that was originally manufactured without passenger restraint devices.
2. A person who operates a motor vehicle that is also a recreational vehicle as defined in section 41-4001.
3. A person who operates a commercial motor vehicle and who holds a current commercial driver license issued pursuant to chapter 8 of this title.
4. A person who must transport a child in an emergency to obtain necessary medical care.
5. A person who operates an authorized emergency vehicle that is transporting a child for medical care.
6. A person who transports more than one child under eight years of age in a motor vehicle that because of the restricted size of the passenger area does not provide sufficient area for the required number of child restraint systems, if both of the following conditions are met:

(a) At least one child is restrained or seated as required by this section.

(b) The person has secured as many of the other children in child restraint systems pursuant to this section as is reasonable given the restricted size of the passenger area and the number of passengers being transported in the motor vehicle.

I. Before the release of any newly born child from a hospital, the hospital in conjunction with the attending physician shall provide the parents of the child with a copy of this section and information with regard to the availability of loaner or rental programs for child restraint systems that may be available in the community where the child is born.

J. A child restraint fund is established. The fund consists of all civil penalties deposited pursuant to this section and any monies donated by the public. The department of child safety shall administer the fund.

K. The department of child safety shall purchase child restraint systems that meet the requirements of this section from monies deposited in the fund. If a responsible agency requests child restraint systems and if they are available, the department of child safety shall distribute child restraint systems to the requesting responsible agency.

L. On the application of a person to a responsible agency on a finding by the responsible agency to which the application was made that the applicant is unable to acquire a child restraint system because the person is indigent and subject to availability, the responsible

agency shall lend the applicant a child restraint system at no charge for as long as the applicant has a need to transport a child who is subject to this section.

M. Monies in the child restraint fund shall not exceed twenty thousand dollars. All monies collected over the ~~twenty thousand dollar~~ \$20,000 limit shall be deposited in the Arizona highway user revenue fund established by section 28-6533.

N. THE PARENT OR GUARDIAN OF A CHILD OR OTHER ADULT ACCOMPANYING A CHILD IN THE VEHICLE MAY BE ISSUED A CITATION FOR A VIOLATION OF SUBSECTION A OF THIS SECTION THAT OCCURS IN A FULLY AUTONOMOUS VEHICLE OPERATING WITH THE AUTOMATED DRIVING SYSTEM ENGAGED.

~~N.~~ O. For the purposes of this section:

1. "Child restraint system" means an add-on child restraint system, a built-in child restraint system, a factory-installed built-in child restraint system, a rear-facing child restraint system or a booster seat as defined in 49 Code of Federal Regulations section 571.213.

2. "Indigent" means a person who is defined as an eligible person pursuant to section 36-2901.01.

3. "Responsible agency" means a licensed hospital, a public or private agency providing shelter services to victims of domestic violence, a public or private agency providing shelter services to homeless families or a health clinic.

Sec. 9. Section 28-909, Arizona Revised Statutes, is amended to read:

28-909. Vehicle restraints required; exceptions; civil penalty.

A. Each front seat occupant of a motor vehicle that is designed for carrying ten or fewer passengers, that is manufactured for the model year 1972 and thereafter and that is required to be equipped with an integrated lap and shoulder belt or a lap belt pursuant to the federal motor vehicle safety standards prescribed in 49 Code of Federal Regulations section 571.208 shall either:

1. Have the lap and shoulder belt properly adjusted and fastened while the vehicle is in motion.

2. If only a lap belt is installed where the occupant is sitting, have the lap belt properly adjusted and fastened while the vehicle is in motion.

B. The operator of a motor vehicle that is designed for carrying ten or fewer passengers, that is manufactured for the model year 1972 and thereafter and that is required to be equipped with an integrated lap and shoulder belt or a lap belt pursuant to the federal motor vehicle safety standards prescribed in 49 Code of Federal Regulations section 571.208 shall require each passenger under sixteen years of age to either:

1. Have the lap and shoulder belt properly adjusted and fastened while the vehicle is in motion.

2. If only a lap belt is installed where the passenger is sitting, have the lap belt properly adjusted and fastened while the vehicle is in motion.

C. A peace officer shall not stop or issue a citation to a person operating a motor vehicle on a highway in this state for a violation of this section unless the peace officer has reasonable cause to believe there is another alleged violation of a motor vehicle law of this state.

D. If a person is found responsible for a civil traffic violation under this section, a department or agency of this state shall not consider the violation for the purpose of determining whether the person's driver license should be suspended or revoked. A court shall not transmit abstracts of records of violations of this section to the department.

E. An insurer shall not consider a civil traffic violation under this section as a traffic violation against the person for the purposes of establishing rates for motor vehicle liability insurance or determining the insurability of the person. An insurer shall not cancel or refuse to renew any policy of insurance because of the violation.

F. This section does not apply to:

1. A child subject to the requirements of section 28-907.

2. A person possessing a written statement from a physician or a registered nurse practitioner that the person is unable for medical or psychological reasons to wear a lap and shoulder belt or a lap belt.

3. A letter carrier of the United States postal service while the letter carrier is performing the letter carrier's duties.

G. If a person is found responsible for a civil traffic violation under this section, the person is subject to a maximum civil penalty of ~~ten dollars~~ \$10 for each violation.

H. THE PARENT OR GUARDIAN OF A PASSENGER UNDER SIXTEEN YEARS OF AGE OR OTHER ADULT ACCOMPANYING THE PASSENGER UNDER SIXTEEN YEARS OF AGE MAY BE ISSUED A CITATION FOR A VIOLATION OF SUBSECTION B OF THIS SECTION THAT OCCURS IN A FULLY AUTONOMOUS VEHICLE OPERATING WITH THE AUTOMATED DRIVING SYSTEM ENGAGED.

Sec. 10. Section 28-941, Arizona Revised Statutes, is amended to read:

28-941. Multiple beam road lighting equipment arrangement

Except as otherwise provided in this article, the ~~head-lamps~~ HEADLAMPS, the auxiliary driving lamp or the auxiliary passing lamp or combinations of the ~~head-lamps~~ HEADLAMPS, driving lamp or passing lamp on a motor vehicle other than a motor driven cycle shall be arranged so that selection may be made between distributions of light projected to different elevations, subject to the following requirements and limitations:

1. There shall be an uppermost distribution of light, or composite beam, so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least three hundred fifty feet ahead for all conditions of loading.

2. There shall be a lowermost distribution of light, or composite beam, so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least one hundred feet ahead, and under any condition of loading, none of the high intensity portion of the beam shall be directed to strike the eyes of an approaching driver.

3. A new motor vehicle, other than a motor driven cycle OR A FULLY AUTONOMOUS VEHICLE INCAPABLE OF OPERATION BY A HUMAN DRIVER, that is registered in this state and that has multiple beam road lighting equipment shall be equipped with a beam indicator that is:

- (a) Lighted when the uppermost distribution of light from the ~~head-lamps~~ HEADLAMPS is in use and not otherwise lighted.
- (b) Designed and located so that when lighted it is readily visible without glare to the driver of the vehicle.

4. A person shall not operate a motor vehicle with a colored transparent or translucent substance or material installed, affixed or applied on or in front of the ~~head-lamps~~ HEADLAMPS, the auxiliary driving lamp or the auxiliary passing lamp or combinations of the ~~head-lamps~~ HEADLAMPS, driving lamp or passing lamp that would obstruct, reduce or interfere with the visibility or effectiveness of the ~~head-lamps~~ HEADLAMPS or that would change the color of light emitted. This paragraph does not prohibit the placement of clear transparent material mounted in front of the ~~head-lamps~~ HEADLAMPS, fog lamps or auxiliary driving lamps.

Sec. 11. Section 28-956, Arizona Revised Statutes, is amended to read:

28-956. Mirrors; exception

A motor vehicle that is constructed or loaded in a manner that obstructs the driver's view to the rear of the vehicle from the driver's position shall be equipped with two mirrors located in a manner to reflect to the driver a view of the highway for a distance of at least two hundred feet to the rear of the vehicle. THIS SECTION DOES NOT APPLY TO A FULLY AUTONOMOUS VEHICLE THAT IS INCAPABLE OF OPERATION BY A HUMAN DRIVER.

Sec. 12. Section 28-957, Arizona Revised Statutes, is amended to read:

28-957. Windshield wipers required; exceptions

A. The windshield on a motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from the windshield. The device shall be constructed in a manner to be controlled or operated by the driver of the vehicle.

B. A windshield wiper on a motor vehicle shall be maintained in good working order.

C. This section does not apply to a golf cart OR A FULLY AUTONOMOUS VEHICLE THAT IS INCAPABLE OF OPERATION BY A HUMAN DRIVER.

Sec. 13. Section 28-957.01, Arizona Revised Statutes, is amended to read:

28-957.01. Windshields required

A. The following vehicles shall be equipped with an adequate windshield:

- 1. A passenger vehicle, except a motorcycle, an all-terrain vehicle and a golf cart manufactured or modified before June 17, 1998.
- 2. A motor truck or truck tractor, except fire trucks, fire engines or other fire apparatus, whether publicly or privately owned.

B. This section does not apply to ANY OF THE FOLLOWING:

- 1. An implement of husbandry, ~~or to~~
- 2. An antique, classic or horseless carriage automobile if it was not originally equipped with a windshield.
- 3. A FULLY AUTONOMOUS VEHICLE THAT IS INCAPABLE OF OPERATION BY A HUMAN DRIVER.

Sec. 14. Section 28-966, Arizona Revised Statutes, is amended to read:

28-966. Neighborhood electric vehicles; motorized quadricycles; speed; restrictions; exception

A. A neighborhood electric vehicle shall not be operated at a speed of more than twenty-five miles per hour. A motorized quadricycle shall not be operated at a speed of more than fifteen miles per hour.

B. A neighborhood electric vehicle and a motorized quadricycle shall not be driven on a highway that has a posted speed limit of more than thirty-five miles per hour. This subsection does not prohibit a neighborhood electric vehicle or a motorized quadricycle from crossing a highway that has a posted speed limit of more than thirty-five miles per hour at an intersection.

C. A neighborhood electric vehicle and a motorized quadricycle shall have a notice of the operational restrictions applying to the vehicle permanently attached to or painted on the vehicle in a location that is in clear view of the driver. THIS SUBSECTION DOES NOT APPLY TO A FULLY AUTONOMOUS VEHICLE THAT IS INCAPABLE OF OPERATION BY A HUMAN DRIVER.

Sec. 15. Section 28-2157, Arizona Revised Statutes, is amended to read:

28-2157. Application for registration; exception

A. A person shall apply to the department for registration of a motor vehicle, trailer or semitrailer on forms prescribed or authorized by the department.

B. The application shall contain:

1. The name and complete residence address of the owner.
2. A description of the vehicle, including the serial number.
3. If it is a new vehicle, the date of sale by the manufacturer or dealer to the person first operating the vehicle.
4. If the owner of the vehicle rents or intends to rent the vehicle without a driver, a statement of that fact.
5. Other facts required by the department.

C. The registering officer shall indicate on the face of the registration application that the registrant may be subject to vehicle emissions testing requirements pursuant to section 49-542.

D. On request of an applicant, the department shall allow the applicant to provide on the registration of a motor vehicle, trailer or semitrailer a post office box address that is regularly used by the applicant and that is located in the county in which the applicant resides.

E. The person shall include with the application the required fees and the certificate of title to the vehicle for which registration is sought. The registering officer may waive the requirement that the applicant present a certificate of title at the time of making an application for renewal if the registering officer has available complete and sufficient records to accurately compute the vehicle license tax.

F. The department may request an applicant who appears in person to register a motor vehicle, trailer or semitrailer to satisfactorily complete the vision screening test prescribed by the department.

G. A person applying for initial registration of a neighborhood electric vehicle or a motorized quadricycle shall certify in writing that a notice of the operational restrictions applying to the vehicle as provided in section 28-966 are contained on a permanent notice attached to or painted on the vehicle in a location that is in clear view of the driver. THIS SUBSECTION DOES NOT APPLY TO A FULLY AUTONOMOUS VEHICLE THAT IS INCAPABLE OF OPERATION BY A HUMAN DRIVER.

Sec. 16. Section 28-3315, Arizona Revised Statutes, is amended to read:

28-3315. Period of suspension, revocation or disqualification; unlicensed drivers; definitions

A. The department shall not suspend, revoke or disqualify a driver license or privilege to drive a motor vehicle on the public highways for more than one year from the date of a conviction or judgment, if any, against a person for which this chapter makes revocation, suspension or disqualification mandatory or from the date the notice is sent pursuant to section 28-3318 if no conviction was involved, except as permitted under subsection E of this section and sections 28-3312, 28-3319 and 28-3320.

B. A person whose license or privilege to drive a motor vehicle on the public highways has been revoked may apply for reinstatement of the person's license as provided by law after the cause of the revocation is removed or after expiration of the revocation period prescribed by law. The department may reinstate the person's driver license after the department reviews an applicant's driving record in this state or another state or other sufficient evidence to determine that:

1. All withdrawal actions are complete.
2. The applicant has not been convicted of or found responsible for any traffic violations within twelve months preceding application.
3. All other statutory requirements are satisfied.

C. The department shall not accept an application for reinstatement of a driver license until after the twelve month period prescribed in subsection B of this section has elapsed.

D. If the department reinstates a person's driver license or driving privilege for a revocation that is related to alcohol or other drugs, the department may accept an evaluation that was performed within the previous twelve months from a physician, a psychologist, a physician assistant, a registered nurse practitioner or a substance abuse counselor indicating that, in the opinion of the physician, psychologist, physician assistant, registered nurse practitioner or substance abuse counselor, the condition does not affect or impair the person's ability to safely operate a motor vehicle. For the purposes of reinstating a license or driving privilege pursuant to this article, the department may rely on the opinion of a physician, a psychologist, a physician assistant, a registered nurse practitioner or a substance abuse counselor.

E. Notwithstanding subsections A and B of this section:



1. A person whose license or privilege to drive is revoked pursuant to section 28-3304, subsection A, paragraph 1 or 11 is not entitled to have the person's license or privilege renewed or restored for three years.
2. A person whose license or privilege to drive is revoked pursuant to section 13-1209 is not entitled to have the person's license or privilege renewed or restored for the period of time ordered by the court.
3. If a license, permit or privilege to drive is revoked pursuant to section 28-661, subsection ~~E~~ F the license, permit or privilege may not be renewed or restored except as prescribed by section 28-661, subsections ~~E~~ F and ~~F~~ G.
4. A person whose license, permit or privilege to drive is revoked pursuant to section 28-661, subsection ~~G~~ H is not entitled to have the person's license, permit or privilege renewed or restored for three years.
- F. If an unlicensed driver commits an offense for which a driver license could be suspended, revoked or disqualified, the department shall not accept the unlicensed driver's application for a driver license for a period equal to the period of time that applies to a driver with a license. If the offense is one for which a driver license could be revoked, the department shall not accept the unlicensed driver's application for a driver license unless ~~it~~ THE APPLICATION includes an evaluation from a physician, psychologist, physician assistant, registered nurse practitioner or substance abuse counselor on the habits and driving ability of the person and ~~that~~ the evaluator is satisfied that it is safe to grant the privilege of driving a motor vehicle on the public highways.
- G. The expiration of a person's license during the period of time it is under suspension, revocation or disqualification does not invalidate or terminate the suspension, revocation or disqualification.
- H. A person whose license or privilege to drive a motor vehicle on the public highways has been suspended pursuant to section 28-3306, subsection A, paragraph 5 or section 28-3314 may apply for a new license as provided by law after the cause for suspension is removed or after expiration of the suspension period prescribed by law if both of the following conditions are met:

1. The department is satisfied, after reviewing the medical condition and driving ability of the person, that it is safe to grant the person the privilege of driving a motor vehicle on the public highways.
2. If the person has a medical condition related to alcohol or other drugs, the department may accept an evaluation form from a physician, a psychologist, a physician assistant, a registered nurse practitioner or a substance abuse counselor indicating that, in the opinion of the physician, psychologist, physician assistant, registered nurse practitioner or substance abuse counselor, the condition does not affect or impair the person's ability to operate a motor vehicle in a safe manner.

I. For the purposes of this section:

1. "Physician" means a physician who is licensed pursuant to title 32, chapter 13, 17 or 29.
2. "Physician assistant" means a physician assistant who is licensed pursuant to title 32, chapter 25.
3. "Psychologist" means a psychologist who is licensed pursuant to title 32, chapter 19.1.
4. "Registered nurse practitioner" means a registered nurse practitioner who is licensed pursuant to title 32, chapter 15.
5. "Substance abuse counselor" has the same meaning prescribed in section 28-3005.

Sec. 17. Title 28, Arizona Revised Statutes, is amended by adding chapter 31, to read:

## CHAPTER 31. AUTONOMOUS VEHICLES

### ARTICLE 1. GENERAL PROVISIONS

#### 28-9601. Definitions

#### IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES:

1. "ON-DEMAND AUTONOMOUS VEHICLE NETWORK" MEANS A PASSENGER TRANSPORTATION NETWORK THAT USES A DIGITAL NETWORK OR SOFTWARE APPLICATION TO CONNECT PASSENGERS TO FULLY AUTONOMOUS VEHICLES FOR TRANSPORTATION, EXCLUSIVELY OR IN ADDITION TO OTHER VEHICLES, INCLUDING TRANSPORTATION FOR HIRE AND TRANSPORTATION FOR COMPENSATION.

2. "REQUEST TO INTERVENE" MEANS A NOTIFICATION BY AN AUTOMATED DRIVING SYSTEM TO A HUMAN DRIVER THAT THE HUMAN DRIVER SHOULD PROMPTLY BEGIN OR RESUME PERFORMANCE OF PART OR ALL OF THE DYNAMIC DRIVING TASK.

#### 28-9602. Operation of autonomous vehicles

A. EXCEPT AS OTHERWISE PROVIDED IN THIS CHAPTER, THE OPERATION OF AUTONOMOUS VEHICLES WITH OR WITHOUT A HUMAN DRIVER IS SUBJECT TO ALL APPLICABLE FEDERAL AND STATE LAWS.

B. A PERSON MAY OPERATE AN AUTONOMOUS VEHICLE WITH THE AUTOMATED DRIVING SYSTEM ENGAGED ON PUBLIC ROADS IN THIS STATE WITH A LICENSED HUMAN DRIVER WHO IS ABLE TO RESUME PART OR ALL OF THE DYNAMIC DRIVING TASK OR RESPOND TO A REQUEST TO INTERVENE, IF ANY.

C. A FULLY AUTONOMOUS VEHICLE MAY OPERATE ON PUBLIC ROADS WITHOUT A HUMAN DRIVER ONLY IF A PERSON SUBMITS BOTH:

1. A LAW ENFORCEMENT INTERACTION PLAN TO THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF PUBLIC SAFETY THAT IS CONSISTENT WITH AND ADDRESSES ALL OF THE ELEMENTS IN THE LAW ENFORCEMENT PROTOCOL THAT WAS ISSUED BY THE DEPARTMENT OF PUBLIC SAFETY ON MAY 14, 2018, BEFORE BEGINNING THE OPERATION OR IF THE OPERATION HAS ALREADY BEGUN, WITHIN SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION.

2. A WRITTEN STATEMENT TO THE DEPARTMENT OF TRANSPORTATION ACKNOWLEDGING ALL OF THE FOLLOWING:

(A) WHEN REQUIRED BY FEDERAL LAW, THE FULLY AUTONOMOUS VEHICLE IS EQUIPPED WITH AN AUTOMATED DRIVING SYSTEM THAT IS IN COMPLIANCE WITH ALL APPLICABLE FEDERAL LAWS AND FEDERAL MOTOR VEHICLE SAFETY STANDARDS AND BEARS THE REQUIRED CERTIFICATION LABELS INCLUDING REFERENCE TO ANY EXEMPTION GRANTED BY THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION UNDER APPLICABLE FEDERAL LAW.

(B) IF A FAILURE OF THE AUTOMATED DRIVING SYSTEM OCCURS THAT RENDERES THAT SYSTEM UNABLE TO PERFORM THE ENTIRE DYNAMIC DRIVING TASK RELEVANT TO ITS INTENDED OPERATIONAL DESIGN DOMAIN, THE FULLY AUTONOMOUS VEHICLE WILL ACHIEVE A MINIMAL RISK CONDITION.

(C) THE FULLY AUTONOMOUS VEHICLE IS CAPABLE OF COMPLYING WITH ALL APPLICABLE TRAFFIC AND MOTOR VEHICLE SAFETY LAWS OF THIS STATE AND THE PERSON WHO SUBMITS THE WRITTEN STATEMENT FOR THE FULLY AUTONOMOUS VEHICLE MAY BE ISSUED A TRAFFIC CITATION OR OTHER APPLICABLE PENALTY IF THE VEHICLE FAILS TO COMPLY WITH TRAFFIC OR MOTOR VEHICLE LAWS.

(D) THE FULLY AUTONOMOUS VEHICLE MEETS ALL APPLICABLE CERTIFICATE OF TITLE, REGISTRATION, LICENSING AND INSURANCE REQUIREMENTS OF THIS TITLE.

D. IF A PERSON FAILS TO SUBMIT A LAW ENFORCEMENT INTERACTION PLAN OR STATEMENT PRESCRIBED BY SUBSECTION C OF THIS SECTION, THE DEPARTMENT MAY IMMEDIATELY ISSUE A CEASE AND DESIST LETTER PROHIBITING THE OPERATION OF A FULLY AUTONOMOUS VEHICLE ON PUBLIC ROADS OF THIS STATE UNTIL THE PERSON SUBMITS THE LAW ENFORCEMENT INTERACTION PLAN AND STATEMENT.

E. WHEN ENGAGED, THE AUTOMATED DRIVING SYSTEM IS CONSIDERED THE DRIVER OR OPERATOR OF THE AUTONOMOUS VEHICLE FOR THE PURPOSE OF ASSESSING COMPLIANCE WITH APPLICABLE TRAFFIC OR MOTOR VEHICLE LAWS AND IS BOTH:

1. DEEMED TO SATISFY ELECTRONICALLY ALL PHYSICAL ACTS REQUIRED BY A DRIVER OR OPERATOR OF THE VEHICLE.

2. EXEMPT FROM THE REQUIREMENTS OF CHAPTER 8 OF THIS TITLE.

F. NOTWITHSTANDING ANY OTHER LAW, A LICENSED HUMAN DRIVER IS NOT REQUIRED TO OPERATE A FULLY AUTONOMOUS VEHICLE THAT IS OPERATED IN COMPLIANCE WITH THIS CHAPTER.

G. THIS CHAPTER DOES NOT PROHIBIT OR RESTRICT A LICENSED HUMAN DRIVER FROM DRIVING A FULLY AUTONOMOUS VEHICLE EQUIPPED WITH CONTROLS THAT ALLOW FOR THE HUMAN DRIVER TO CONTROL ALL OR PART OF THE DYNAMIC DRIVING TASK.

28-9603. Department of public safety; law enforcement protocols; law enforcement interaction plan

THE DEPARTMENT OF PUBLIC SAFETY, IN COORDINATION WITH OTHER RELEVANT LAW ENFORCEMENT AGENCIES, SHALL MAINTAIN A LAW ENFORCEMENT PROTOCOL FOR FULLY AUTONOMOUS VEHICLES. THE PROTOCOL SHALL INCLUDE GUIDELINES FOR PERSONS WHO OPERATE FULLY AUTONOMOUS VEHICLES TO PROVIDE INFORMATION TO LAW ENFORCEMENT AGENCIES AND OTHER FIRST RESPONDERS ON HOW TO INTERACT WITH FULLY AUTONOMOUS VEHICLES IN EMERGENCY AND TRAFFIC ENFORCEMENT SITUATIONS, INCLUDING HOW TO PROVIDE CONTACT INFORMATION FOR INSURANCE AND CITATION PURPOSES AND ANY OTHER INFORMATION NEEDED TO ENSURE THE SAFE OPERATION OF FULLY AUTONOMOUS VEHICLES IN THIS STATE. THE DEPARTMENT OF PUBLIC SAFETY MAY ISSUE A REVISED LAW ENFORCEMENT PROTOCOL AFTER PROVIDING ADVANCE NOTICE TO AND AN OPPORTUNITY FOR COMMENT FROM PERSONS THAT HAVE SUBMITTED STATEMENTS PURSUANT TO SECTION 28-9602, SUBSECTION C, PARAGRAPH 2.

28-9604. On-demand autonomous vehicle networks

AN ON-DEMAND AUTONOMOUS VEHICLE NETWORK MAY OPERATE PURSUANT TO CHAPTER 30, ARTICLE 3 OF THIS TITLE EXCEPT THAT ANY PROVISION OF CHAPTER 30, ARTICLE 3 OF THIS TITLE THAT BY ITS NATURE REASONABLY APPLIES ONLY TO A HUMAN DRIVER DOES NOT APPLY TO A FULLY AUTONOMOUS VEHICLE OPERATING WITH THE AUTOMATED DRIVING SYSTEM ENGAGED WHILE LOGGED ON TO AN ON-DEMAND AUTONOMOUS VEHICLE NETWORK.

28-9605. Commercial motor vehicles

A FULLY AUTONOMOUS VEHICLE THAT IS ALSO A COMMERCIAL MOTOR VEHICLE AS DEFINED IN SECTION 28-5201 MAY OPERATE PURSUANT TO STATE LAWS GOVERNING THE OPERATION OF COMMERCIAL MOTOR VEHICLES, EXCEPT THAT ANY PROVISION THAT BY ITS NATURE REASONABLY APPLIES ONLY TO A HUMAN DRIVER DOES NOT APPLY TO A FULLY AUTONOMOUS COMMERCIAL MOTOR VEHICLE OPERATING WITH THE AUTOMATED DRIVING SYSTEM ENGAGED.

28-9606. Autonomous vehicles; fees prohibited; exceptions; enforcement

A. A COUNTY, CITY OR TOWN MAY NOT IMPOSE ANY TAX, FEE, FOR-HIRE VEHICLE REQUIREMENT OR OTHER REQUIREMENT ON AUTOMATED DRIVING SYSTEMS OR AUTONOMOUS VEHICLES OR ON A PERSON WHO OPERATES AN AUTONOMOUS VEHICLE, INCLUDING A PERSON WHO OPERATES AN AUTONOMOUS VEHICLE FOR PURPOSES OF PROVIDING PASSENGER TRANSPORTATION, FREIGHT TRANSPORTATION, GOODS DELIVERY SERVICES OR AN ON-DEMAND AUTONOMOUS VEHICLE NETWORK.

B. SUBSECTION A OF THIS SECTION DOES NOT PROHIBIT EITHER:

1. AN AIRPORT OPERATOR THAT OPERATES A PUBLIC AIRPORT PURSUANT TO SECTION 28-8421, 28-8423 OR 28-8424 OR A PUBLIC BODY OPERATING A PUBLIC AIRPORT FROM CHARGING REASONABLE FEES CONSISTENT WITH ANY FEES CHARGED TO COMPANIES THAT PROVIDE SIMILAR SERVICES AT THAT AIRPORT FOR THEIR USE OF THE AIRPORT'S FACILITIES.

2. AN AIRPORT FROM DESIGNATING LOCATIONS FOR STAGING, PICKUP OR OTHER SIMILAR OPERATIONS AT THE AIRPORT.

C. THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF PUBLIC SAFETY ARE THE ONLY STATE AGENCIES THAT MAY IMPLEMENT OR ENFORCE THIS CHAPTER, EXCEPT THAT NEITHER AGENCY MAY PRESCRIBE PROCEDURES OR RULES THAT ARE UNREASONABLE OR UNDULY BURDENSOME.

28-9607. Traffic or motor vehicle laws; autonomous vehicles

EXCEPT AS OTHERWISE PROVIDED BY THIS CHAPTER, A TRAFFIC OR MOTOR VEHICLE LAW OF THIS STATE MAY NOT PROHIBIT THE OPERATION OF AN AUTONOMOUS VEHICLE OR REQUIRE A HUMAN DRIVER TO OPERATE A FULLY AUTONOMOUS VEHICLE WITH THE AUTOMATED DRIVING SYSTEM ENGAGED, IF THE FULLY AUTONOMOUS VEHICLE IS OPERATED IN COMPLIANCE WITH THIS CHAPTER.

28-9608. Enforcement

A. EXCEPT AS PROVIDED IN SECTION 28-9602 AND SUBSECTION G OF THIS SECTION, THIS SECTION PROVIDES THE EXCLUSIVE MEANS BY WHICH THE DEPARTMENT MAY:

1. SUSPEND, REVOKE OR CANCEL THE REGISTRATION OF AN AUTONOMOUS VEHICLE FOR REASONS RELATED TO SAFETY.

2. OTHERWISE RESTRICT THE OPERATION OF AN AUTONOMOUS VEHICLE FOR REASONS RELATED TO SAFETY.

B. IF THE DEPARTMENT HAS INFORMATION, DATA OR OTHER EVIDENCE INDICATING THAT AN AUTONOMOUS VEHICLE IS LIKELY NOT IN SAFE MECHANICAL CONDITION AND LIKELY TO ENDANGER PERSONS ON THE HIGHWAY, THE DEPARTMENT MAY ISSUE A REQUEST FOR RELEVANT INFORMATION TO THE OWNER AND THE PERSON WHO SUBMITTED THE STATEMENT REQUIRED BY SECTION 28-9602 FOR THE AUTONOMOUS VEHICLE.

C. THE OWNER OR THE PERSON WHO SUBMITTED THE STATEMENT REQUIRED BY 28-9602 SHALL RESPOND TO A REQUEST FOR INFORMATION SUBMITTED UNDER SUBSECTION B OF THIS SECTION WITHIN A REASONABLE TIME SPECIFIED BY THE DEPARTMENT. THE RESPONSE MAY BE IN THE FORM OF DOCUMENTS, A MEETING WITH THE DEPARTMENT, A DEMONSTRATION OR ANY OTHER REASONABLE FORM OR COMBINATION OF FORMS.

D. AFTER CONSIDERING AND EVALUATING ALL RESPONSES PROVIDED PURSUANT TO SUBSECTIONS B AND C OF THIS SECTION, IF THE DEPARTMENT DETERMINES BASED ON DATA, INFORMATION OR OTHER EVIDENCE THAT AN AUTONOMOUS VEHICLE IS NOT IN SAFE MECHANICAL CONDITION AND ENDANGERS PERSONS ON THE HIGHWAY, THE DEPARTMENT MAY SEND THE VEHICLE OWNER AND THE PERSON WHO SUBMITTED THE STATEMENT REQUIRED BY SECTION 28-9602 FOR THE AUTONOMOUS VEHICLE A NOTICE OF INTENT TO SUSPEND THE REGISTRATION OR IMPOSE RESTRICTIONS ON THE OPERATION OF THE AUTONOMOUS VEHICLE. THE NOTICE SHALL INCLUDE:

1. A DESCRIPTION OF THE DEPARTMENT'S REASONS AND EVIDENCE SUPPORTING THE DETERMINATION.

2. A STATEMENT THAT A CERTIFICATION OF CORRECTION OR ADJUSTMENT SHALL BE SUBMITTED WITHIN A SPECIFIED TIME AND THAT THE CERTIFICATION SHALL INCLUDE AN EXPLANATION OF HOW THE ISSUES IDENTIFIED BY THE DEPARTMENT IN THE NOTICE HAVE BEEN ADDRESSED, SUCH AS IDENTIFYING ADJUSTMENTS MADE TO THE AUTOMATED DRIVING SYSTEM OR OPERATIONAL MEASURES IMPLEMENTED.

E. IF THE OWNER OR PERSON WHO SUBMITTED THE STATEMENT REQUIRED BY SECTION 28-9602 FOR THE AUTONOMOUS VEHICLE THAT IS THE SUBJECT OF A NOTICE OF INTENT TO SUSPEND OR RESTRICT OPERATION FAILS TO SUBMIT THE CERTIFICATION REQUIRED BY SUBSECTION D OF THIS SECTION WITHIN THE TIME SPECIFIED OR THE DEPARTMENT FINDS THAT THE CERTIFICATION IS NOT TRUE AND ACCURATE, THE DEPARTMENT SHALL NOTIFY THE PERSON AND OWNER THAT THE REGISTRATION FOR THAT AUTONOMOUS VEHICLE HAS BEEN SUSPENDED OR RESTRICTED AS SPECIFIED IN THE NOTICE. IF THE PERSON OR OWNER LATER SUBMITS THE REQUIRED CERTIFICATION, THE DEPARTMENT SHALL REMOVE THE SUSPENSION OR RESTRICTION ON RECEIPT OF THE CERTIFICATION.

F. A PERSON WHO DISPUTES THE DEPARTMENT'S FINDING MAY REQUEST A HEARING WITHIN TEN DAYS AFTER THE DATE OF THE NOTICE OF INTENT TO SUSPEND OR RESTRICT OPERATION ISSUED UNDER SUBSECTION D OF THIS SECTION. A HEARING REQUESTED UNDER THIS SUBSECTION SHALL BE HELD NOT MORE THAN SIXTY DAYS AFTER THE

SUBMISSION OF A REQUEST FOR A HEARING. A DECISION TO UPHOLD THE DETERMINATION OF THE DEPARTMENT IS SUBJECT TO JUDICIAL REVIEW PURSUANT TO TITLE 12, CHAPTER 7, ARTICLE 6.

G. THIS SECTION DOES NOT APPLY TO A VEHICLE THAT IS SUBJECT TO CHAPTER 14 OF THIS TITLE AND DOES NOT AFFECT THE APPLICABILITY OR ENFORCEMENT OF CHAPTER 14 OF THIS TITLE OR FEDERAL LAWS APPLICABLE TO COMMERCIAL MOTOR VEHICLES AS DEFINED IN 28-5201.

APPROVED BY THE GOVERNOR MARCH 24, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 24, 2021.

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